

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION

DOCKET NO. 1:07CR106

FILED
ASHEVILLE, N.C.
DEC -7 2009
U.S. DISTRICT COURT
W. DIST. OF N.C.

UNITED STATES OF AMERICA,

Plaintiff,

v.

JAMES OTIS HENDERSON
a/k/a JAMIE HENDERSON,

Defendant

**ORDER APPROVING SETTLEMENT
AGREEMENT AND THIRD FINAL
ORDER OF FORFEITURE**

On April 7, 2009, the Court entered the Third Preliminary Order of Forfeiture By Substitution of Property of the defendant's interest in the properties listed below pursuant to Fed. R. Crim. P. 32.2(b) and 21 U.S.C. § 853(p), based upon the defendant's Consent Order and Judgment of Forfeiture, Plea Agreement, Guilty Plea, and Judgment.

On April 22, 2009, and continuing until May 21, 2009, the United States published on the official government website, www.forfeiture.gov, notice of this forfeiture and of the intent of the government to dispose of the forfeited properties according to law, and further notifying all third parties of their right to petition the Court within thirty days for a hearing to adjudicate the validity of any alleged legal interest in the properties. 21 U.S.C. § 853(n)(1).

On December 4, 2000, First Citizens National Bank and Trust Company and the United States entered into a Settlement Agreement, resolving and settling all issues with respect to the three properties, the terms of which appear satisfactory to the Court.

It is therefore **ORDERED**:

1. That the Settlement Agreement entered into by the United States and First Citizens National Bank and Trust Company dated December 4, 2009, which concerns the real property described below, is hereby approved and made an Order of this Court.

2. In accordance with Rule 32.2(c)(2), the Preliminary Order of Forfeiture is confirmed as final. All right, title, and interest in the following properties, whether real, personal, or mixed, has therefore been forfeited to the United States for disposition according to law, subject to the Settlement Agreement between the United States and First Citizens National Bank and Trust Company:

Real property with the address of 570 Lawson Fork Road, Inman, Spartanburg County, South Carolina, as more particularly described in a deed at Book 75-N, Page 517, of the Registry of Deeds, Spartanburg County, South Carolina, being 24.08 acres, more or less, together with the buildings, residences, and all appurtenances, improvements, and attachments thereon;

Real property with the address of 580 Lawson Fork Road, Inman, Spartanburg County, South Carolina, as more particularly described in a deed at Book 87E, Page 785, of the Registry of Deeds, Spartanburg County, South Carolina, being 5.13 acres, more or less, together with the buildings, residences, and all appurtenances, improvements, and attachments thereon;

Real property at Lot 22, Pineland Shores, Laurens County, South Carolina, as more particularly described in a deed at Book D 862, Page 255, of the Registry of Deeds, Laurens County, South Carolina, together with the buildings, residences, and all appurtenances, improvements, and attachments thereon.

This the 7th day of December, 2009.



THOMAS SHELBY ELLIS, III
UNITED STATES DISTRICT JUDGE